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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: LAPIDOT2

In re Application of:)
Tsvee LAPIDOT et al)
Appln. No.: 09/744,654)
Filed: January 29, 2001)
For: HEMATOPOIETIC CELL)
COMPOSITION FOR USE IN)
TRANSPLANTATION)

) Conf. No.: 2645
) Art Unit: 1633
) Examiner: A. Wehbe
) Washington, D.C.
) January 30, 2006

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, Mail Stop AF
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated July 28, 2005, of the Primary Examiner. The claims appealed are claims 123-126, and 128-131.

The item(s) checked below are appropriate:

XXX Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

_____ \$500.00

_____ \$250.00 (small entity)

XXX Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity
Response Filed Within

[] First - \$ 60.00

[] Second - \$225.00

[X] Third - \$510.00

month after time period set

Other Than Small Entity
Response Filed Within

[] First - \$ 120.00

[] Second - \$ 450.00

[] Third - \$1020.00

month after time period set

[X] Less fees (\$225.00) already paid for 2 months extension of time on December 28, 2005.

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 285.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

01/31/2006 SZEWDIE1 00000046 09744654

01 FC:2253

285.00 OP

Respectfully submitted,
BROWDY AND NEIMARK, P.L.L.C.
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